



Understanding the Student Conduct Process at Spokane Community College

This document is intended to inform students, faculty, and staff about how allegations of student misconduct are handled, as well as the rights and responsibilities of students in that process. Pertinent sections of the Standards of Conduct for Students are referenced after many of the main sections of this document. This document is not intended to be a complete source of information or college policy.

The Standards of Conduct for Students can be found at: <http://apps.leg.wa.gov/wac/default.aspx?cite=132Q-10>

Reporting Misconduct

Any student, faculty, staff or community member may file a Student Conduct Incident Report (SCIR) alleging violations of the Community Colleges of Spokane Standards of Conduct for Students.

An online report form is available at: <https://scc.spokane.edu/About-Us/Public-Disclosures/report-it>

Online reports go to a “Student Conduct Officer,” (SCO) an official responsible for addressing these issues. At SCC, these staff work in Student Life in the Lair Student Center (509-533-7431).

Some important notes on filing a report/complaint include:

- a) The name and identity of a reporting party or “complainant” must be available to the accused student, referred to as the “respondent” but contact information of those individuals will not be disclosed to the respondent.
- b) The reporting party may indicate the report is being submitted because action is requested or as “information only” and no action will be taken.
- c) If action is requested, the Student Conduct Officer will contact the reporting party for additional information.
- d) If the alleged misconduct is severe enough to warrant that a conduct hearing is later scheduled, the complainant will be asked to provide testimony in-person or via video, but this is not a requirement.

Investigating Allegations

Upon receiving an Incident Report, a Student Conduct Officer reviews the complaint to determine if there is sufficient cause to further investigate any alleged violation(s). (If the report alleges sexual misconduct, this determination is made by the Title IX Coordinator, the Vice President of Student Services.)

If it is determined that the report has sufficient evidence to merit investigation, a Conduct Officer or investigator will contact the reporting party, witnesses and others who might have information about the alleged misconduct as well as the accused student. (The sequence in which individuals are contacted will depend on the circumstances and their availability.)

Student conduct proceedings may occur before, at the same time, or after a student is charged with criminal or civil offenses. The two processes, including any investigative interviews, evidence collected and hearings, are separate.

The section(s) of the student conduct code pertinent to reviewing reports of alleged misconduct are available at:

<https://app.leg.wa.gov/WAC/default.aspx?cite=132Q-10-306>

<https://app.leg.wa.gov/WAC/default.aspx?cite=132Q-10-310>

Notifying a Student Accused of Misconduct

To initiate an investigation into alleged misconduct, the Student Conduct Officer will notify the accused student in-person, by phone or by email.

A written notice, referred to as a Notice of Allegation or Notice of Complaint, includes the nature of the alleged violation and time, date and location of the alleged misconduct; but may not include all details available or the names of witnesses or the reporting party. (Those may be disclosed at a later point in the investigation.)

Unless circumstances necessitate that interim or immediate action be taken, a “Notice of Complaint” is provided to the accused no less than seven (7) calendar days’ in advance of when the student is expected to attend an “Informational Meeting” with a Conduct Officer to discuss alleged incident(s). This waiting period provides due process for the accused student and adequate time for them to gather information and/or witnesses if they choose to present them at the Informational Meeting.

Some important notes about this Notice of Complaint include:

- a) The waiting period of seven (7) days may be waived if the student is available and willing to meet earlier; and can only be waived by the student.
- b) The College may take interim measures, including placing “Interim Restriction(s)” on the student before an Informational Meeting. This is most common in circumstances when there is concern for individuals’ safety.

The section(s) of the student conduct code pertinent to notifying students about allegations of misconduct are at:

<https://app.leg.wa.gov/WAC/default.aspx?cite=132Q-10-310>

<https://app.leg.wa.gov/WAC/default.aspx?cite=132Q-10-315>

Meeting with a Student about an Allegation

An Information Meeting with a conduct officer is intended to a) inform the student of the details of the allegation, b) gather information, and c) if possible, resolve the matter.

The Information Meeting may serve as an initial intake of information and/or a hearing in which the Conduct Officer may a) dismiss the complaint, b) determine sanctions, or c) refer the matter to the Student Conduct Board.

Some important notes about an Informational Meeting include:

- a) A student may have an advisor or support person in attendance at any information meeting or hearing. Students may also arrange to have witnesses attend any hearings or meetings with conduct officials. If a licensed attorney is expected to attend with a student, they are expected to provide the college with the name and contact information of that individual within four days of any informational meetings and/or hearings they are requesting to attend.

If a student is accused of violating the section of the Standards of Conduct titled as sexual harassment (WAC 132Q-10-600), the student shall be permitted to have an advisor of their choice OR the college will appoint a trained staff member to serve as their advisor. In these cases, this advisor shall be authorized to speak on the student’s behalf and may cross-examine or interview witnesses on their behalf during a hearing.

- b) If a student has disabilities that require accommodations for this informational meeting, they must notify the Student Conduct Officer in advance so accommodations may be arranged.
- c) The Informational Meeting - and future meetings - may be audio recorded to enable a correct and complete record of the information provided. Any recording will be done by the college and maintained in its records.

The section(s) of the student conduct code pertinent to this Informational Meeting are available at:

<https://app.leg.wa.gov/WAC/default.aspx?cite=132Q-10-318>

Interim Suspensions or Restrictions during an Investigation

In some circumstances, interim restrictions or supportive measures may be imposed if there is reason to believe that:

- a) the accused student has violated a provision of the standards of conduct for students;
- b) there is an immediate danger to the health, safety, or welfare of members of CCS;
- c) the student's own physical safety is a concern; or
- d) the student poses an ongoing threat of disruption to, or interference with, the operations of the college.

During the interim period, a student conduct officer may restrict a student from accessing classes, activities and other services while an investigation and/or formal disciplinary procedures are pending. A student will be notified of these interim restrictions in writing.

The student has the opportunity to appeal these interim measures. The hearing on the interim restrictions will be held as soon as possible after they are imposed and only address the interim restrictions.

The section(s) of the student conduct code pertinent to interim restrictions are available at:

<https://app.leg.wa.gov/WAC/default.aspx?cite=132Q-10-320>

Making a Decision about the Allegations, the Investigation

Following the informational meeting, the conduct officer may:

- a) seek additional information,
- b) dismiss the allegation,
- c) refer the case to a conduct board or panel or
- d) administer a sanction against the student.

The College utilizes the "preponderance of evidence" rule when determining whether a student is found responsible for violations of the Code of Conduct, which is met when it is "more likely than not" or a 51% chance that the conduct occurred.

Any decision will be communicated to the student via U.S. postal mail and/or e-mail to the addresses on file with the College. This is referred to as a "Notice of Decision" or "Notice of Disposition."

The section(s) of the student conduct code pertinent to how a Student Conduct Officer addresses or resolves allegations are at:

<https://app.leg.wa.gov/WAC/default.aspx?cite=132Q-10-318>

Sanctions

Sanctions for violations of the Standards for Student Conduct can range from a warning, with no further action required, to expulsion from the College. Guidelines regarding possible sanctions are offered in WAC 132Q-10-400.

Common sanctions for first-time offenses, may include a) required attendance at an educational program pertinent to the misconduct (e.g., drug/alcohol education, conflict resolution or anger management), b) a written statement on the misconduct and its impact on the student's academic and professional career or the larger SCC community, and c) signing an agreement regarding future behavioral expectations.

In some cases, privileges or access to facilities or services (e.g., access to a computer lab, the library or fitness center) may be restricted until a sanction has been completed.

In cases involving assault, harassment, disorderly conduct, threats, and sexual misconduct (violations that are likely to include unsafe behaviors towards others), restriction from enrolling in courses at the college for an academic quarter or more is a common sanction. A common length of suspension is one calendar year, coinciding with the beginning of a future academic quarter or a suspension for the remainder of the current academic quarter or year.

Unless circumstances warrant otherwise, past allegations or sanctions against a student are not considered as evidence of responsibility in a pending allegation/case. Past sanctions may be considered, however, in determining progressively harsher sanctions in the matter being considered. The severity and nature of violations also impact the severity of any sanctions.

Some important notes about sanctions include:

- a) violations or non-compliance with sanctions may result in more progressive disciplinary actions
- b) sanctions are imposed/effective immediately after decisions are announced by a Student Conduct Officer or Student Conduct Board/Panel and remain in effect until/unless the Appeal Board issues a written decision to amend a sanction or the sanction period has ended.

The section(s) of the student conduct code that outlines sanctions is at:

<https://app.leg.wa.gov/WAC/default.aspx?cite=132Q-10-400>

Appealing a Decision

Students found responsible for violations of the Standards of Conduct have the right to appeal the outcome of any informational meeting or hearing, but this must be done within 20 calendar days of being notified of the decision, referred to as the “Disposition of Complaint” or a “Notice of Decision.” Appeals must be filed in writing with the Vice President of Student Services at vpss@scc.spokane.edu or studentconduct@scc.spokane.edu.

Some important notes about appeals include:

- a) With the exception of cases involving sexual misconduct, only the accused student or “respondent” may file an appeal of decisions made through a student conduct case, particularly decisions made by a Student Conduct Board or Panel.
A reporting party, complainant, witness, and the college representative or Student Conduct Officer who presents information to a Student Conduct Board or Panel cannot file an appeal. For sexual misconduct cases, the complainant may also file an appeal of the decision of Board of Panel.
- b) As outlined in **WAC 132Q-10-335**, an appeal cannot simply ask for a reconsideration of the case. Appeals are done via a review of the verbatim record of a board hearing to consider whether:
 - the hearing was conducted fairly ... and gave the accused student a reasonable opportunity to prepare and to present a response to the allegations;
 - the decision was supported by the evidence;
 - the sanctions imposed are appropriate for the violation;
 - new information, sufficient to alter a decision, or other relevant facts were not disclosed in the original hearing.

It is strongly recommended that appeals speak to one of these factors that may be considered to amend or overturn a decision.

- c) The Appeals Board has twenty calendar days from the date of the written appeal and may:
 - affirm the decision and uphold sanctions
 - reverse/overturn the decision; or
 - affirm the decision and modify the sanctions imposed.

The accused student will be notified of the appeal board's decision in writing. If the college is not in session, this period may be reasonably extended. The appeal board's decision is the college's final order and may not be appealed.

The section(s) of the student conduct code pertinent to reviewing reports of alleged misconduct are available at: <https://app.leg.wa.gov/WAC/default.aspx?cite=132Q-10-335>

Responsibilities of an Accused Student

During this process, you have a responsibility to:

- read and understand the CCS policies regarding standards of student behavior
- not retaliate nor allow others to retaliate on your behalf against others involved in the conduct process including the complainant, witnesses and those involved in the investigatory and hearing process.

Students may be held responsible for any additional violations of the Standards of Conduct that arise during an investigation, including the information meeting. Additional violations may include providing false information and not complying with requests of college officials.

For more information about this document or the policies referenced, please contact:

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Lair Student Center 125 | Mail Stop 2061
Spokane, Washington 99217
509-533-7431 | studentconduct@scc.spokane.edu*

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